

## Ted Donovan

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**From:** Ted Donovan <tdonovan@gwfglaw.com>  
**Sent:** Tuesday, May 05, 2020 11:14 AM  
**To:** 'Ted Donovan'  
**Subject:** FW: 138-23 Queens Blvd

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**From:** Bruce Lederman [mailto:blederman@dlpartnerslaw.com]  
**Sent:** Thursday, April 02, 2020 9:17 AM  
**To:** knash@gwfglaw.com; Brian Sampson; aalbstein@gwulaw.com  
**Subject:** RE: 138-23 Queens Blvd

Thank you Kevin. (We will add you to the love fest next time around).

**DL**PARTNERS

Bruce H. Lederman, Esq.  
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**From:** knash@gwfglaw.com <knash@gwfglaw.com>  
**Sent:** Wednesday, April 1, 2020 7:34 PM  
**To:** Brian Sampson <bsampson@dlpartnerslaw.com>; aalbstein@gwulaw.com

**Cc:** Bruce Lederman <[blederman@dlpartnerslaw.com](mailto:blederman@dlpartnerslaw.com)>

**Subject:** RE: 138-23 Queens Blvd

Sorry to interrupt the love fest but yes we are filing by April 7 and you do not have to get ready to tender. I think doran sent you notice of the assignment earlier?

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**From:** Brian Sampson <[bsampson@dlpartnerslaw.com](mailto:bsampson@dlpartnerslaw.com)>

**Sent:** Wednesday, April 1, 2020 5:08 PM

**To:** [aalbstein@gwulaw.com](mailto:aalbstein@gwulaw.com); Nash, Kevin <[knash@gwfglaw.com](mailto:knash@gwfglaw.com)>

**Cc:** Bruce Lederman <[blederman@dlpartnerslaw.com](mailto:blederman@dlpartnerslaw.com)>

**Subject:** RE: 138-23 Queens Blvd

The feeling is mutual!

Kevin – if you are serving us with papers by tomorrow, then it is moot but, if not, I need to start preparing to tender (i.e., preparing documents and arranging various parties and signatures from people who are in different parts of the country). So if you are not serving us tomorrow, then please confirm by a separate/fresh email if you desire that you acknowledge that my client does not have to go through the act of tendering in order to exercise its rights with respect to exercising the 4/7 TOE closing.

Brian

The logo for DL PARTNERS, featuring the letters "DL" in a larger, bold font followed by "PARTNERS" in a smaller font, all in white capital letters on a dark blue rectangular background.

Brian T. Sampson, Esq.

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**From:** Andrew W. Albstein <[aalbstein@gwulaw.com](mailto:aalbstein@gwulaw.com)>

**Sent:** Wednesday, April 1, 2020 2:41 PM

**To:** Brian Sampson <[bsampson@dlpartnerslaw.com](mailto:bsampson@dlpartnerslaw.com)>; Nash, Kevin <[knash@gwfglaw.com](mailto:knash@gwfglaw.com)>

**Cc:** Bruce Lederman <[blederman@dlpartnerslaw.com](mailto:blederman@dlpartnerslaw.com)>

**Subject:** Re: 138-23 Queens Blvd

I received every courtesy I requested. Brian is a gentleman. Bruce, that's another story (kidding - I love him as well).

Andrew W. Albstein, Esq.

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**From:** Brian Sampson <[bsampson@dlpartnerslaw.com](mailto:bsampson@dlpartnerslaw.com)>

**Date:** Wed, 1 Apr 2020 18:31:16 +0000

**To:** [knash@gwfglaw.com](mailto:knash@gwfglaw.com)<[knash@gwfglaw.com](mailto:knash@gwfglaw.com)>

**Cc:** 'Andrew W. Albstein, Esq.' <[aalbstein@gwfglaw.com](mailto:aalbstein@gwfglaw.com)>; Bruce Lederman <[blederman@dlpartnerslaw.com](mailto:blederman@dlpartnerslaw.com)>

**Subject:** RE: 138-23 Queens Blvd

Kevin –

Everyone can reserve their rights and we don't expect anyone to do otherwise. Feel free to respond to state in writing that all rights are reserved but that you acknowledge that neither party is required to tender at this point to exercise its rights under the contract. That is the only courtesy that we request and Andy will tell you that I extended him courtesies on this matter and expect nothing more.

You can call me on my phone (917-751-0398) to discuss but this shouldn't be too difficult. If you would rather prepare a short stipulation to this effect then please do so.

Brian

The logo for DL PARTNERS, featuring the letters "DL" in a bold, yellow font, followed by the word "PARTNERS" in a white, sans-serif font, all contained within a dark blue rectangular background.

Brian T. Sampson, Esq.

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**From:** [knash@gwfglaw.com](mailto:knash@gwfglaw.com) <[knash@gwfglaw.com](mailto:knash@gwfglaw.com)>  
**Sent:** Wednesday, April 1, 2020 3:25 PM  
**To:** Brian Sampson <[bsampson@dlpartnerslaw.com](mailto:bsampson@dlpartnerslaw.com)>  
**Cc:** 'Andrew W. Albstein, Esq.' <[aalbstein@gwfglaw.com](mailto:aalbstein@gwfglaw.com)>; Bruce Lederman <[blederman@dlpartnerslaw.com](mailto:blederman@dlpartnerslaw.com)>  
**Subject:** RE: 138-23 Queens Blvd

Not the proper characterization of what was discussed. I gave you a call as a professional courtesy to save you from working towards a closing to advise that it is our intention to address the issues in a chapter 11 case. I also advised that the contract is being assigned to an affiliate which you acknowledged was permitted. Since the intention is to file prior to April 7, I only intended to save you from undertaking additional work which would be stayed by the filing. Please do not take this courtesy as an acknowledgement of anything or waiver of rights or defenses to the contract. Indeed there are real questions regarding the seller's conduct here. Other than giving you a head's up I do not agree with anything in your letter so please stop the veiled threats. I expected better from you.

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**From:** Brian Sampson <[bsampson@dlpartnerslaw.com](mailto:bsampson@dlpartnerslaw.com)>  
**Sent:** Wednesday, April 1, 2020 1:04 PM  
**To:** [knash@gwfglaw.com](mailto:knash@gwfglaw.com)  
**Cc:** Andrew W. Albstein, Esq. ([aalbstein@gwfglaw.com](mailto:aalbstein@gwfglaw.com)) <[aalbstein@gwfglaw.com](mailto:aalbstein@gwfglaw.com)>; Bruce Lederman <[blederman@dlpartnerslaw.com](mailto:blederman@dlpartnerslaw.com)>  
**Subject:** 138-23 Queens Blvd

Please see the attached letter.

Thank you,

Brian

**DL**PARTNERS

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